

FIRST REGULAR SESSION

HOUSE BILL NO. 716

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRISAMORE.

1515L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the show-me healthy babies program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.662, to read as follows:

208.662. 1. There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for low-income unborn children. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 CFR Section 457.10.

2. In order for the unborn child to be enrolled in the show-me healthy babies program, the mother of an unborn child shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the comparable modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **3. Coverage for an unborn child enrolled in the show-me healthy babies program**
18 **shall include all prenatal care and pregnancy-related services that benefit the health of the**
19 **unborn child and that promote healthy labor, delivery, and birth. Coverage shall not**
20 **include services that are solely for the benefit of the pregnant mother, that are unrelated**
21 **to maintaining or promoting a healthy pregnancy, and that provide no benefit to the**
22 **unborn child.**

23 **4. There shall be no waiting period before an unborn child may be enrolled in the**
24 **show-me healthy babies program. In accordance with the definition of child in 42 CFR**
25 **Section 457.10, coverage shall include the period from conception to birth. The**
26 **department shall develop a presumptive eligibility procedure for enrolling an unborn child.**

27 **5. Coverage for the child shall continue for up to one year after birth, unless**
28 **otherwise prohibited by law or unless otherwise limited by the general assembly through**
29 **appropriations. The general assembly may set nonarbitrary conditions on such post-birth**
30 **coverage for the child based on factors which include, but are not limited to, age, income**
31 **eligibility, geography, race ethnicity, morbidity, mortality, birth weight, and disability.**

32 **6. Pregnancy-related and postpartum coverage for the mother shall begin on the**
33 **day the pregnancy ends through the last day of the month that includes the sixtieth day**
34 **after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited**
35 **by the general assembly through appropriations. The general assembly may set**
36 **nonarbitrary conditions on such pregnancy-related and postpartum coverage for the**
37 **mother based on factors which include, but are not limited to, age, income eligibility,**
38 **geography, race ethnicity, morbidity, mortality, birth weight, and disability. Coverage for**
39 **the mother shall be limited to pregnancy-related and postpartum care.**

40 **7. Nothing in this section shall be construed to prohibit an unborn child from being**
41 **enrolled in the show-me healthy babies program at the same time his or her mother is**
42 **enrolled in MO HealthNet, the Children's Health Insurance Program (CHIP), Medicare,**
43 **or other health care program. The department shall ensure that there is no duplication of**
44 **payments for services for an unborn child enrolled in the show-me healthy babies program**
45 **that are payable under a governmental or nongovernmental health care program for**
46 **services to an eligible pregnant woman.**

47 **8. The department may provide coverage for an unborn child enrolled in the show-**
48 **me healthy babies program though:**

49 **(1) Direct coverage whereby the state pays health care providers directly or by**
50 **contracting with a managed care organization or with a group or individual health**
51 **insurance provider;**

52 (2) A premium assistance program whereby the state assists in payment of the
53 premiums, co-payments, coinsurance, or deductibles for a person who is eligible for health
54 coverage through an employer, former employer, labor union, credit union, church,
55 spouse, other organizations, other individuals, or through an individual health insurance
56 policy that includes coverage for the unborn child, but such person needs assistance in
57 paying such premiums, co-payments, coinsurance or deductibles;

58 (3) A combination of direct coverage, such as when the unborn child is first
59 enrolled, and premium assistance, such as when the unborn child is older or after birth;
60 or

61 (4) Any other similar arrangement whereby there:

62 (a) Are lower program costs without sacrificing health care coverage for the
63 unborn child or the child up to one year after birth;

64 (b) Are greater covered services for the unborn child or the child up to one year
65 after birth;

66 (c) Is also coverage for siblings or other family members; or

67 (d) Will be an ability for the child to more easily transition to nongovernment or
68 less-government subsidized group or individual health insurance coverage after the child
69 is no longer enrolled in the show-me healthy babies program.

70 9. The department shall provide information about the show-me healthy babies
71 program to maternity homes as defined in section 135.600, pregnancy resource centers as
72 defined in section 135.630, and other similar agencies and programs in the state that assist
73 unborn children and their mothers. The department shall consider including such agencies
74 and programs as places that may assist in unborn children being enrolled in the program
75 and in making determinations about presumptive eligibility.

76 10. Within sixty days after the effective date of this section, the department shall
77 submit a state plan amendment to the United States Department of Health and Human
78 Services requesting approval for the show-me healthy babies program.

79 11. At least annually, the department shall prepare and submit a report to the
80 governor, the speaker of the house of representatives, and the president pro tem of the
81 senate analyzing the cost savings and benefits, if any, to the state, counties, local
82 communities, school districts, law enforcement, health care providers, employers and other
83 public and private entities and persons by enrolling unborn children in the show-me
84 healthy babies program. The analysis of cost savings and benefits, if any, shall include but
85 not be limited to:

86 (1) The higher federal matching rate for having an unborn child enrolled in the
87 show-me healthy babies program versus the lower federal matching rate for a pregnant
88 woman being enrolled in MO HealthNet or other federal programs;

89 (2) The efficacy in providing services through managed care organizations, group
90 or individual health insurance providers or premium assistance, or through other
91 nontraditional arrangements of providing health care;

92 (3) The increase in the proportion of unborn children who receive care in the first
93 trimester of pregnancy because of no waiting periods, presumptive eligibility, or removal
94 of other barriers, and the attendant decrease in health problems and other problems for
95 the unborn child and the child's mother throughout pregnancy; at labor, delivery, and
96 birth; and during infancy and childhood;

97 (4) The increase in abstaining by the unborn child's mother from alcohol, binge
98 drinking, tobacco use, illicit drug use, or other harmful behaviors, and the attendant short-
99 term and long- term decrease in treating birth defects; poor motor skills; vision, speech
100 and hearing problems; breathing and respiratory problems; feeding and digestive
101 problems; and other physical, mental, educational and behavioral problems; and

102 (5) The decrease in preterm births and low-birth weight babies and the attendant
103 decrease in short-term and long-term medical and other interventions.

104 12. The show-me healthy babies program shall not be deemed an entitlement
105 program, but instead shall be subject to a federal allotment or other federal appropriations
106 and matching state appropriations.

107 13. Nothing in this section shall be construed as obligating the state to continue the
108 show-me healthy babies program if the allotment or payments from the federal
109 government end or are not sufficient for the program to operate, or if the general assembly
110 does not appropriate funds for the program.

111 14. Nothing in this section shall be construed as expanding MO HealthNet or
112 fulfilling a mandate imposed by the federal government on the state.

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